

# SENATE BILL REPORT

## SB 5509

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As Reported By Senate Committee On:  
Commerce, Trade, Housing & Financial Institutions, February 25, 1999

**Title:** An act relating to the Holocaust victims insurance relief act.

**Brief Description:** Creating the Holocaust victims insurance relief act.

**Sponsors:** Senators Kline, Jacobsen, Heavey, Horn, Finkbeiner, Patterson, Franklin, Fairley, Prentice, Hochstatter, Bauer, Gardner, Costa, Eide, McDonald, B. Sheldon, Goings, McAuliffe, Kohl-Welles, Rasmussen and Oke.

**Brief History:**

**Committee Activity:** Commerce, Trade, Housing & Financial Institutions: 2/11/99, 2/25/99 [DPS].

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### SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

**Majority Report:** That Substitute Senate Bill No. 5509 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Benton, Gardner, Hale, Heavey, Rasmussen, T. Sheldon, West, Winsley.

**Staff:** Susan Jones (786-7784)

**Background:** The proceeds of millions of insurance policies issued prior to and during World War II to Holocaust victims have not been paid to victims or their survivors. The burden has generally been on the victims and/or their families to provide paperwork to prove their claims. However, locating old insurance policies may be difficult and sometimes impossible with the passage of time and the fact that many Holocaust victims were forced from their homes. In many instances, insurance company records are the only proof of the insurance policies.

An international commission was established to investigate and facilitate the payment of insurance proceeds to the Holocaust victims and their survivors. Other states are establishing Holocaust survivor assistance offices and registries of insurance policies to help the Holocaust victims and their survivors.

**Summary of Substitute Bill:** A Holocaust Survivor Assistance Office is created to assist the hundreds of Washington State's Holocaust victims, their families and heirs to recover insurance proceeds and other assets improperly denied or processed. A Holocaust Insurance Company Registry is created to contain information required of Washington insurers about insurance policies that were sold to persons in Europe between 1933 and 1945. The commissioner may suspend the certificate of authority of an insurer who fails to provide the required information. A civil penalty of up to \$10,000 is established for filing false

information. The statute of limitations is extended to December 31, 2010 for Holocaust insurance claims. The act expires on December 31, 2010.

**Substitute Bill Compared to Original Bill:** Certain terms are added to provide consistency throughout the bill. The definition of proceeds– is changed to clarify that there will not be a diminution in value for wartime or immediate post war currency devaluation and to include reasonable interest. The inference is removed that destroyed material was destroyed to prevent discovery of information supporting an insurance claim. The substitute bill provides an expiration date of December 31, 2010 for the new chapter.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Virtually every person in the Jewish community, in one way or another, has been touched by the Holocaust. Holocaust victims, survivors, and their heirs were robbed of a legacy of art, businesses, and property that, in some cases, were in their families for generations. Many survivors and their heirs have never received restitution for their property and insurance. Many do not have the necessary insurance paperwork to make claims because the survivors left the concentration camps with only a few clothing items. Many who have the information and have completed paperwork over the years have only gotten a runaround on the insurance coverage. Although this bill cannot erase the horrors of the Holocaust, it can provide accountability from some insurance companies. We cannot let the passage of time dull our reaction or calm our emotions. The delay in justice has waited too long.

**Testimony Against:** None.

**Testified:** PRO: Senator Kline, Representatives Schual-Berke, McIntire, Hatfield and Kessler; Holocaust survivors, Fred Fritz Kahn, Fred Roer, Frances Mayer, and Arnold Zweig; survivor's children, Tibor Breuer, Merry Kogut, and Judy Townsend; Michael Novick, Jewish Federation.